

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS
BID PROTEST**

REDACTED VERSION

BLUE ORIGIN FEDERATION, LLC,)	
)	
Plaintiff,)	
)	
v.)	
)	
THE UNITED STATES,)	No. 21-1695C
)	Judge Richard A. Hertling
Defendant,)	
)	
and)	
)	
SPACE EXPLORATION TECHNOLOGIES,)	
CORP.,)	
)	
Defendant-Intervenor.)	

**PLAINTIFF’S MOTION TO UNSEAL DOCUMENT AND FOR COURT ORDER
TO RESOLVE DISPUTED REDACTIONS TO PLAINTIFF’S COMPLAINT**

Pursuant to Paragraph 12(d) of this Court’s Protective Order (ECF No. 8) and Rule 7(b) of the Rules of the United States Court of Federal Claims (“RCFC”), plaintiff, Blue Origin Federation, LLC (“Blue Origin”), respectfully requests that the Court resolve the parties’ dispute concerning proposed redactions to plaintiff’s Complaint filed under seal. Plaintiff has prepared a redacted public version of the Complaint containing the redactions that the parties have agreed to (Exhibit 1 to the accompanying Memorandum). The additional disputed redactions asserted by the United States and the Intervenor (“SpaceX”) are improper overbroad redactions not warranted by law or this Court’s Protective Order. The parties have consulted concerning the additional disputed redactions as directed by the terms of the Court’s Protective Order (ECF No. 8). The parties were, however, unable to resolve the disputed redactions and to settle on an agreed-upon redacted version of the Complaint. No redacted version of the Complaint has yet been filed,

[REDACTED]

prejudicing both plaintiff and the public. The grounds for this motion are set forth in the accompanying Memorandum. For reasons explained there, plaintiff requests that the Court order the unsealing and filing of the redacted Complaint attached as Exhibit 1 to the accompanying Memorandum.

Because the U.S.'s and SpaceX's positions affect counsel's ability to consult with its client regarding issues of prejudice resulting from NASA's decision to waive [REDACTED] Solicitation requirements for SpaceX alone, Blue Origin requests an expedited briefing schedule, and hearing (if necessary), on this request.

WHEREFORE, for the reasons set forth above and in the accompanying Memorandum, plaintiff respectfully requests that the Court grant plaintiff's request and direct the unsealing and filing of the redacted public version of plaintiff's Complaint set forth at Exhibit 1 to the accompanying Memorandum.

September 8, 2021

Respectfully submitted;



Scott E. Pickens
Barnes & Thornburg LLP
1717 Pennsylvania Avenue, N.W., Suite 500
Washington, DC 20006-4623
Phone: (202) 371-6349
Email: (Scott.Pickens@btlaw.com)

*Counsel of Record for Plaintiff
Blue Origin Federation, LLC*

Of Counsel:

Barnes & Thornburg LLP
Scott N. Godes
Matthew J. Michaels
1717 Pennsylvania Avenue, N.W., Suite 500
Washington, DC 20006-4623
Scott Godes Phone: (202) 408-6928
Email: Scott.Godes@btlaw.com
Matthew Michaels Phone: (214) 566-3167
Email: Matthew.Michaels@btlaw.com